# Arthur B. Choate L-024406-4P-A-N // Appeal

Documentation from the Department's license record

Application for Natural Resources Protection Act Permit (November 3, 2008)

## Choate Residence Wharf Landing Way, Islesboro, Maine Natural Resources Protection Act Application

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## APPLICATION FOR A NATURAL RESOURCES PROTECTION ACT PERMIT

→PLEASE TYPE O	R PRIN	TIN BLACK	INK ONLY					→SEE	DETAC	HABLE	INSTRU	ICTIONS
Name of     Applicant:	Tim	m Choate 0 South Dixle Highway te 2221 ml, FL 33146			4. Name of Agent: (If applicable)			Gartley & Dorsky Engineering & Surveying P.O. Box 1631 Camden, ME 04843				
2. Applicant's Mailing Address:	Suite			5, Agent's								
3. Applicant's Daytime Phone #:	305-6	63-3 <b>5</b> 53			6. Agent's Phone #		ne	(207) 2	36-4365			<u>-</u>
7. Location of Project (Nearest Road, Street Rt.#)		Vharf Landing	Way East	8. T	own:	islesb	ого		9. (	County:	Waldo	
10. Type of Resource: (Check all that apply)	☐ Gre ☐ Cor ☐ Fre ☐ Wet ☐ Sig	er, stream or at Pond astal Wetland shwater Wetla and Special S nificant Wildit gile Mountain	and Significance fe Habitat	12. Ar	nme of Resonount of Imp.FL):	pact	Fill; 10	6 sf of 250 sf ure) &	direct in direct in of permanent	npact to anent in	subtid: direct in	dal zone al zone mpact (eleva ect impact
13. Type of Freshwater Wetland: (Check all that apply)	D Em □ Wet □ Pea	ub Shrub ergent Meadow tland in Water		□ 0 □ 5,	Tier - 4,999 st 000 – 9,9	<i>HWA1</i> <i>1</i> q. ft. 99 so	<i>ER</i>	я   о 1   о 2	5,000 0,000 43,56	<i>Ti</i> 19,9 43,5	60 sq.	
14. Brief Project Description:		sed pier. Ful	il detail is giv	ven in t	he activity o	lescrip ——–	tion na	mative	<b>:.</b> 	<u> </u>		· •
15. Size of Lot or Parce			□ squa	re feet <u>.</u>	or		· 	<u>+/-</u>	0.89 <b>E</b> (	acres		
6. Title, Right or Inter	est:	⊠ own	□ lease		<ul><li>purc</li></ul>	hase o	ption	0	written a	greeme	nt	
7. Deed Reference Nu	mbers	Book#: 2455	Page: 317		18. Map and			8:	Мар #: 1	11 La	ot#: 26	
9. DEP Staff Previous Contacted:	3.5	Beth Calla			20. Part of	1.12	<u> </u>	***	☐ Yes ☑ No	After-		☐ Yes ☑ No
21. Resubmission :: Of Application?							vious p nager:			4		
2. Written Notice of			me of DEP e	nforce	ment		•	23.	Previou Alterati	11.		Yes No
4. Detailed Directions to the Project Site:  5. TIER 1  Fee 1 Topographic Map 2 Documentation of Tit 3 Plan or Drawing (8 1/2  1 Photos of Area 3 Statement of Avoidan	From Road East.	Augusta take, turn right on The property or interest	Route-3 to fit to Mill Creek is on the right  Fee Topograp Documer Photos o	Road.  phic Maintation of Area  Prawing	Turn right on TIER p of Title, Right (8 1/2" x 11")	to Pend 2/3 A	MD IND  A  D  St D  C	Point R IVIDU Itemati escript escript equirec	ferry to is oad. Tur AL PERM ves Anal- ion of Av isation Pl ion of Pro	MITS ysis, if recidence lan (if receviously	At the to Wharf equired & Minim quired) Mined P	end of Ferry Landing Wa ization eatland (if
<ul> <li>Statement/Copy of collistoric Preservation Cor</li> <li>Copy to municipality</li> </ul>	ver lette nmissio	er to Main <del>e</del> n	图 Profession( 图 Erosion(	onal Cer Control I	tification/Deli	ineation	ı H	listoric onstruc	Preserva tion Plan municipa	ation Cor n, if requi	nmission	
6. FEES. Amount Encl	osed:	. <b> \$4</b> 01.00 A	JS Code 4P									

#L-24406-4P-A-N ATS#\_69011 Fees Paid 2-401.60 CX# 2039 Date Received 1113102

#### SIGNATURE PAGE: This page MUST be submitted along with the form on the previous page.

By signing below the applicant (or authorized agent), certifies that he or she has:

Read and understood the following:

#### PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

#### CORPS SIGNATORY REQUIREMENT

USC Section 100! provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry shall be fined not more than \$10,000 or imprisoned not more than five years or both. I authorize the Corps to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein.

#### DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

"I hereby authorize the person named below to act in my behalf as my agent in the processing of this applica	tion and to
furnish, upon request, supplemental information in support of this permit application."	

See attached Letter of Authorization	
SIGNATURE OF APPLICANT, if agent involved	DATE

"Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or any acting as the duly authorized agent of the applicant."

SIGNATURE OF AGENT/APPLICANT

10-30-08

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

(yellow)

October 14, 2008

Gartley & Dorsky Engineering & Surveying, Inc. PO Box 1031 Camden, ME 04843 Attn: William Lane

RE: Agent Authorization

Dark Harbor Islesboro

Dear Mr. Lane:

The intent of this letter is to authorize Gartley & Dorsky Engineering & Surveying, Inc. to act as our agent in submitting applications and answering questions regarding our property for Town of Islesboro, State of Maine, and related permit applications. The property is located in Islesboro, Maine (Map 11 Lot 26).

Very truly yours,

#### RELEVANT INFORMATION/PROJECT DESCRIPTION

Tim Choate (applicant) owns property on the east shore of Islesboro, Maine. The applicant proposes to build an all-tide accessible pier with a gangway and float into Penobscot Bay for their residential property. The property is located in a residential area, with approximately 17 private residential piers located within a mile radius of the site. The property is protected from the north, west, southwest and south southwest but is open to winds from the northeast through to the south with a fetch of over 5 miles to the east (See Site Location Map, Attachment 3). Local sea traffic consists primarily of recreational boats with commercial lobster boats also fishing the area. A deep draft vessel recommended vessel route is approximately 0.6 mile east of the property. Lobster traps are not currently set in the area immediately proximate to the proposed structure. Recreational and commercial marine activities have co-existed in this area of Penobscot Bay for many years.

The shoreline of the property is rock ledge. The intertidal area is ledge. See Photographs in Attachment 4 and Attachment 9.

For estimation of Mean Low Water (MLW), the NOAA/NOS 'Tidal Differences and Other Constants' table was applied. Mean Low Water (corresponding to -4.66 NGVD 29) was used for the purpose of establishing the boundary of the intertidal and subtidal zones. Data from Maine DEP's 'Highest Annual Tide (HAT) Levels for Year 2008' table has been applied for the establishment of the upper edge of the coastal wetland. The HAT table is applicable as: the shoreline is ledge with no indicator vegetation present, and the HAT elevations 'may be used to locate the upland edge of coastal wetlands for regulatory purposes' under the Natural Resources Protection Act. For this location, HAT is interpolated as +12.1 (based on MLW). Sheet C-1, enclosed with the application, provides elevation information relative to Mean Low Water, and identifies the HAT and MLW. The DEP HAT tables are included in Attachment 12.

A pre-application meeting was held with the MDEP on October 2, 2008. The area is not mapped as a tidal waterfowl and wading bird habitat area by the Maine Department of Inland Fisheries and Wildlife (MIFW). Please refer to the DEP/IF&W Habitat Map, Appendix 12. Similarly, the area is not mapped as an eelgrass area by the Department of Marine Resources. Please refer to the DMR map, Appendix 12.

The owner proposes to construct a pier with an overall fixed pier length of 70 feet, a gangway, and float. The fixed pier extends over the intertidal zone 60' beyond the HAT and stops short of MLW by approximately 10 feet. The location was chosen based on the topography of the ledge in the area. The pier is proposed to be supported in the intertidal zone by one granite block foundation, pinned to ledge, approximating 10'x10' and 100 square feet of footprint area. There are large cut granite blocks present in the surrounding tidal and subtidal area from a preexisting structure. If possible, some of these blocks will be recovered and used as the support for the pier. The Department of Marine Resources was contacted for a preliminary opinion on the option of utilizing these existing blocks – a copy of their positive response is attached in Appendix 12. The length and area of indirect impact of the pier is 50 feet and 250

square feet, respectively, representing the portion of the pier beyond the HAT that is not counted in the direct impact of the foundation.

The proposed design includes a seasonal 3' x 40' gangway and 15' x 25' float. These seasonal elements combine for a maximum total length and area of 65 feet and 495 sf, respectively (excluding overlap). The length and of the fixed pier over the resource (beyond HAT) is  $\pm$ 60'. The seasonal gangway/float combine for an additional 55' in length.

The proposed pier will have 100 sf (10x10) of direct impact on intertidal habitat at the location of the granite base and 6 sf of direct impact on subtidal habitat due to the placement of six new piles located below MLW. To the extent possible, existing blocks presently lying in the adjacent intertidal zone will be reused. There is no proposed direct impact to the subtidal habitat. The proposed pier has 250 sf of permanent indirect impact on the intertidal habitat. The proposed gangway/float has no more than 495 sf of seasonal indirect impact on the intertidal (60 sf) and subtidal (435 sf) habitat.

Regarding the existing site conditions of the property, MDEP NRPA Appendices A, B and D are enclosed in Attachment 9. The site visit and research conducted to complete these appendices conclude that:

- 1) there are no eelgrass beds in the vicinity of the project that would be affected by the pier, per DMR Coastal Eelgrass Distribution Map (Attachment 12),
- 2) the intertidal and subtidal habitats do not support any vegetation that would be impacted by shading,
- 3) resuspension of sediments or scouring from boat operations around the float is expected to be minimal since the pier is designed to be accessible at all tides and the bottom profile is more hard surface,
- 4) placement of one granite foundation is not expected to cause any substantial changes in tidal or river flow, water circulation patterns, salinity or flushing rates,
- 5) while the project site is within the distinct population segment for the federally listed endangered wild Atlantic Salmon, impacts to the wild Atlantic Salmon will be negligible since this fish is not known to utilize the shoreline in the area, and
- 6) no other endangered species are reported within a mile of the project site. These conclusions support the position that the proposed pier, as designed, will cause negligible harm to the habitat.

The pier and float will be constructed in a manner which will have minimal impact on navigation, the environment, and other parties. The pier will be supported with one granite foundation in the intertidal zone to minimize the direct impact on the resource in a ledge environment. The gangway and float will be seasonally in-place, with the gangway stored on the pier and the float stored above the HAT (in the upland) during the winter months.

The applicant investigated the use of public and private mooring and slip availability in the immediate area. There are no marinas on the island, so there is an absence of slip space. A waiting list exists for available moorings at the Ferry Dock and at Big Tree. The applicant does not have the opportunity to share a private pier. The closest private pier is 0.6 miles to the south.

The proposed structure will provide the applicant's boat to be located at their residence, providing reasonable access to navigable water. The location of the structure will also allow the applicant to monitor the watercraft to maximize the security compared to a remote, unmonitored location.

The aesthetics of the proposed pier will blend in with the existing developed viewscape of the area. The pier as designed will be screened from the view of the abutting neighbors. The location and scale of the proposed pier is comparable with the existing visual quality and landscape characteristics found within the viewshed of the scenic resources in the project area. See the attached Appendix A: MDEP Visual Evaluation in Attachment 9, Site Conditions.

Based on the foregoing, this NRPA permit application is presented to the MDEP for the construction of a pier. The US Army Corp of Engineers will screen this application and apply the standards of a Category 2 permit for Structures and Floats in Navigable Waters of the United States. As required, a Town of Islesboro Flood Hazard Development permit will be completed. A Department of Conservation Submerged Lands Lease be required since no portion of the pier is installed below MLW.

#### ALTERNATIVES ANALYSIS/PROJECT NEED

The project is needed for access to the water, and to allow the applicant to monitor their vessel from their residence instead of a remote facility. Several alternatives to construction and alternative designs were evaluated for this project, including:

- A. Share nearby private piers: There are no neighboring private piers. The closest private pier on the east side of the island is 0.6 miles to the south,
- B. Utilize public or private slip space: It has been determined that there is no slip or mooring space available at local public and private marinas. According to the Bill Boardman, Islesboro Code Enforcement Officer, there is a waiting list for mooring space at the Ferry Dock and at Big Tree. While there are boatyards (Pendleton Yacht Yard), slip space is not available on island.
- C. Wider pier: The applicant's original pier design called for a wider pier. In a design revision, the width was reduced from 8' to 5' which is below the MDEP residential pier width specification of 6'.
- D. Pier at an alternate location on the applicant's shoreline: Available locations along the applicant's 280 +/- of frontage were considered for pier placement. Given the dimensions and layout of the property and the mapped location of the MLW mark, other locations would have a greater indirect and/or direct impact to the intertidal habitat. The proposed location also screens the pier from the view of the abutters, to the extent possible.
- E. Pier with greater direct impact: The location of the pier was adjusted to take advantage of the ledge topography to place an optimized foundation 10 x 10 (~100 sf), and utilize a partially cantilevered walkway structure. Another nearby location would have less length and so less indirect impact, but greater direct impact with two potential granite foundations.

There is no practical alternative to the proposed activity that would meet the project need. The following alternatives were considered:

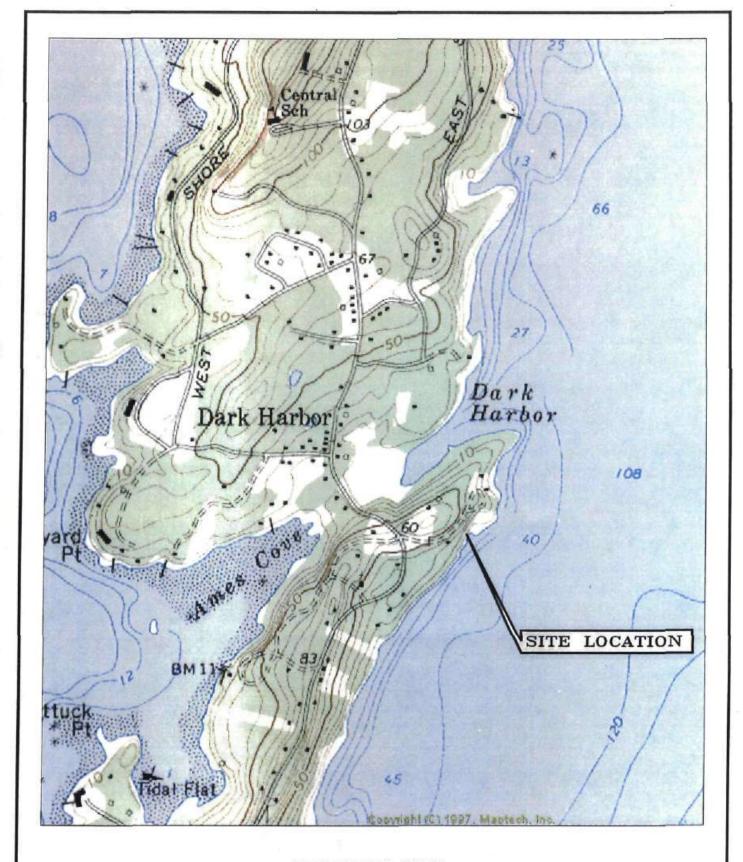
- 1. Utilizing, managing or expanding one or more other sites that would avoid the resource impact: The applicant owns only the one property on Islesboro where a residence is maintained, so there are no other sites under control of the applicant that are available to expand. Joining or utilizing adjacent piers is not viable because they are private.
- 2. Reducing the size, scope, configuration or density of the activity as proposed: Piers with multiple but the size of the pier was reduced to a smaller overall design, considered a nominal footprint for the objectives of the project.
- 3. Developing alternative activity designs that avoid or lessen the resource impact: Short of not boating, there is no viable alternative activity design. Alternate designs were considered (see above) but the proposed pier has the least direct impact on the intertidal habitat. The pier design calls for one granite foundation to support the entire span of the pier.

Appropriate erosion and sediment control measures will be temporarily installed during construction. This approach greatly minimizes any impact to the resource.

## SITE LOCATION MAP

Attached is a site location map created by Gartley & Dorsky Engineering & Surveying.

1.) Site Location Map (scale: 1' = 1000')



LOCATION MAP

SCALE: 1" = 1000"

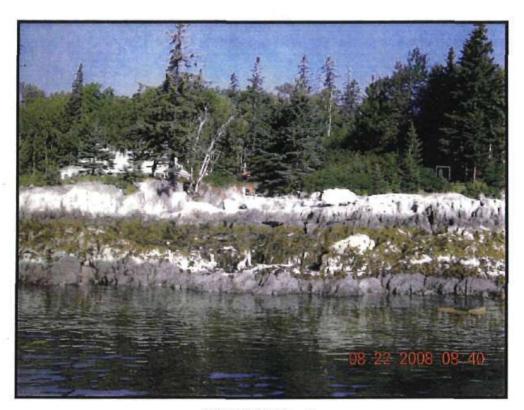


CHOATE PROPERTY ISLESBORO, MAINE

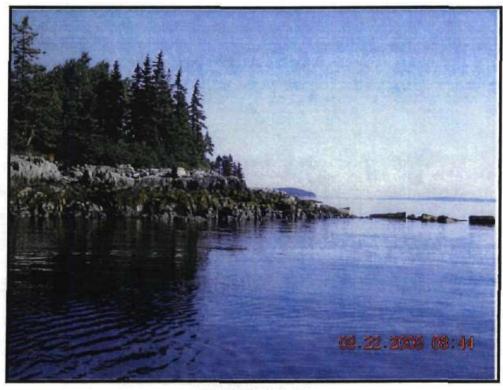
59B Union Street P.O. Best 1031 Camden, ME 04843-1031 Ph (207) 236-4365 Fee (207) 236-3055 Toll Free 1-888-282-4365 LOCATION MAP

## **COLOR PHOTOGRAPHS**

Attached are photographs showing the proposed area of construction and the date of the photograph.



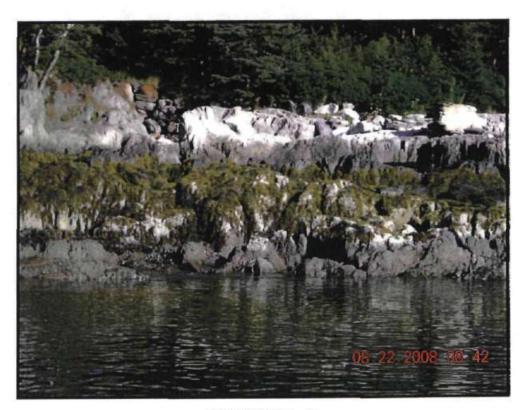
PICTURE 1
PROPOSED PIER SHORELINE



PICTURE 2
PROPOSED PIER LOCATION



CHOATE PROPERTY ISLESBORO, MAINE



PICTURE 3 AREA OF PROPOSED PIER



PICTURE 4
EXISTING GRANITE TO BE REUSED



CHOATE PROPERTY ISLESBORO, MAINE

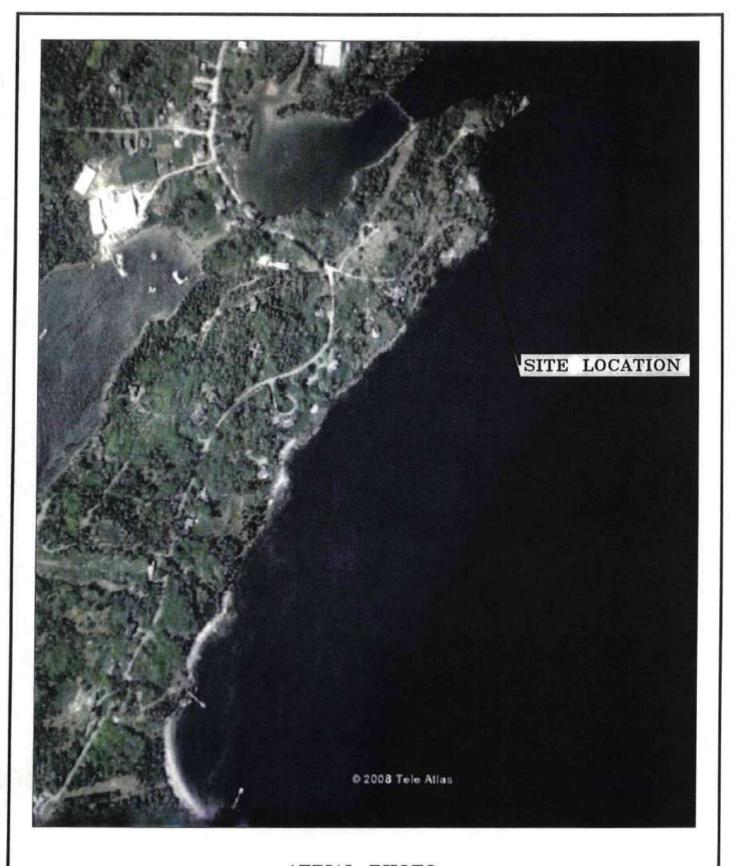
## OVERHEAD PLAN

Attached is a site plan prepared by Gartley & Dorsky Engineering & Surveying, Inc. showing the current residence, property lines, topography and proposed location of the pier, gangway and float.

- C-1.) Site Plan (scale 1" = 20')
- C-1.) Pier Elevation (scale 1" = 20')

# ADDITIONAL DRAWINGS

Aerial Photograph (scale 1" = 600')



AERIAL PHOTO

SCALE: 1" = 600"



CHOATE PROPERTY ISLESBORO, MAINE

59B Union Street F.O. Box 1031 Gamdon, ME 04843-1031 Ph (207) 236-4365 Fax (207) 236-3055 Toll Free 1-858-282-4365

AERIAL PHOTO

#### CONSTRUCTION PLAN AND SCHEDULE

Construction is anticipated to begin after the NRPA permit is approved (early spring 2009), and will be completed within one to two months from the start of construction. The following steps will be followed:

- Obtain permits: MDEP NRPA, Islesboro Flood Hazard Development (as needed) and Department of Conservation Submerged Lands Lease (as needed)
- 2. Obtain Town of Islesboro building permit.
- 3. Install appropriate erosion and sediment control features around the construction site.
- 4. Install pier, gangway and floats.
- 5. Clean construction area. Remove erosion and sediment control features.

## **EROSION CONTROL PLAN**

The proposed project will not cause any unreasonable erosion to the area. Erosion and sedimentation control measures are required for construction activity as outlined in the basic stabilization standards of Maine's Erosion and Sedimentation Control Law 38MRSA§420-C.

The contractor will follow industry standards for the erosion control features during the installation of the pier. Most work will be over the water, and will not involve soil disturbance. Those portions of the work involving soil disturbance will adhere to the erosion standards outlined in DEPs Erosion and Sediment Control: Best Management Practices manual.

### SITE CONDITIONS

The following NRPA Appendices are attached to provide an overview of the Site Conditions: Appendix A: Visual Evaluation, Appendix B: Coastal Wetland Characterization and Appendix D: Project Description Worksheet for a Dock, Pier or Wharf are included in Attachment 9.

Based on the completion of the attached MDEP Appendices, the final pier design was adjusted to reduce the direct impact. The width was reduced to 5' and the direct impact was reduced from 144 sf to 106 sf by utilizing a natural plateau in the ledge.

# APPENDIX A: MDEP VISUAL EVALUATION FIELD SURVEY CHECKLIST

(Natural Resources Protection Act, 38 M.R.S.A. §§ 480 A - Z)

Name of applicant: TIM CHOATE Ph	one:30	05-663-3	553
Application Type: NATURAL RESCURCE TROTECTIC	TSA DO		
Activity Type: (brief activity description)	R DR WH	ARF.	
Activity Location: Town: ISLES BORO Court:			
GIS Coordinates, if known:			
Date of Survey: AUGUST 22, 2608 Observer: WILLIAM GART	<del>υ</del> <b>Ε</b> Ч Ρ	hone: <u>236~</u>	4365
•		Between the Prop and Resource (in	
1. Would the activity be visible from:	0-1/4	1/4-1	I+
A. A National Natural Landmark or other outstanding natural feature?	ם	۵	X
B. A State or National Wildlife Refuge, Sanctuary, or Preserve or a State Game Refuge?	ā	ū	ß' ·
C. A state or federal trail?	נז		Ø
D. A public site or structure listed on the National Register of Historic Places?		154	Þ
E. A National or State Park?			×
F. 1) A municipal park or public open space?	ם	D	Ø
2) A publicly owned land visited, in part, for the use, observation, enjoyment and appreciation of natural or man-made visual qualities?	٥		7
3) A public resource, such as the Atlantic Ocean, a great pond or a navigable river?	×	O	1.
2. What is the closest estimated distance to a similar activity	? . 🗆	·	為
3. What is the closest distance to a public facility intended for a similar use?		ä	Żī
4. Is the visibility of the activity seasonal?  (i.e., screened by summer foliage, but visible during other	r seasons)	□Yes	XN0
5. Are any of the resources checked in question 1 used by the during the time of year during which the activity will be a	public visible?	ΣΥes	□No

A listing of National Natural Landmarks and other outstanding natural features in the State of Maine can be found at: <a href="www.nature.nps.gov/nnl/Registry/USA\_map/states/Maine/maine.htm">www.nature.nps.gov/nnl/Registry/USA\_map/states/Maine/maine.htm</a>. In addition, unique natural areas are listed in the Maine Atlas and Gazetteer published by DeLorme.

(pink)

# APPENDIX B: MDEP COASTAL WETLAND CHARACTERIZATION: INTERTIDAL & SHALLOW SUBTIDAL FIELD SURVEY CHECKLIST

NAME OF APPLICANT: TI APPLICATION TYPE: NETURE	W CHO	ATE PORT	PHONE:	305-663-3553	ARF
ACTIVITY LOCATION: TOW					
ACTIVITY DESCRIPTION:   fi	II - j⊠ pie	r □ lobsterpe	ound   shore.		
DATE OF SURVEY: AUGUST	<u>ZZ, ZWC</u>	OBSERVI	ER: <u>10 : LL 1</u>	AM GARTLEY	
TIME OF SURVEY: 8:30 K	HM_	TIDE AT	SURVEY:	ده.ں	
SIZE OF DIRECT IMPACT OR F Intertidal area: 1005F	OOTPRIN	Γ (square feet): Subtidal at	ea:65=	<del></del>	
HABITAT TYPES PRESENT(chec	FERMANE SEMOONIA ck all that a	Subtid C pply):	al area: <u>435 SE</u>	SEASONAL	
□ sand beach □ boulder/cobble iz ledge □ rocky shore □ m				ines □salt marsh	
ENERGY: □ protected □ ser	ni-protected	i □ pa	rtially exposed	<b>⊠</b> exposed	
DRAINAGE: 🛭 drains completely	🗆 stand	ing water	□ pools	Dstream or channel	
SLOPE: 🗆 >20% 🤟 10-20%	· 🗅	5-10%	□ 0-5%	□ variable	
SHORELINE CHARACTER:  □ bluff/bank (height from spr	ing high tid	le:) 🗖 be	ach ÉFrocky	. vegetated	
FRESHWATER SOURCES: 🗆 stre	am [	l river	□ wetland		
MARINE ORGANISMS PRESENT	r: -				
	absent	occasional			
mussels			Ø	0	
clams	82		<b>D</b>		
marine worms		Ω			
rockweed			妅		
eelgrass		. 🗖		□,	
lobsters	₽	0	8		
other	₽.		0	<b>0</b>	•
SIGNS OF SHORELINE OR INTE	RTIDAL EI	ROSION?	□ yes	121 <u>1</u> 00	
PREVIOUS ALTERATIONS?			🕰 yes	□ no	
CURRENT USE OF SITE AND AD undeveloped Eresidential		JPLAND: mercial	□ degraded	□ recreational	
PLEASE SUBMIT THE FOLLOW				(nink)	

# Natural Resource Protection Act Application APPENDIX D: Project Description Worksheet for a Dock, Pier or Wharf Application.

Help us process your application more efficiently by completing this worksheet, which is supplemental to a NRPA application for a dock, pier or wharf. A completed Appendix D may be substituted for Block 14 of the application page.
THIS IS AN APPLICATION FOR A
Commercial wharf  If yes, indicate type of commercial activity:  License number:  Number of fishermen using this wharf:
☐ Public pier, dock or wharf
Common or shared recreational pier, dock or wharf
Private recreational pier, dock or wharf
Expansion or modification of an existing structure
Other, please indicate:
TELL US ABOUT YOUR BOAT
My boat(s) requires a draft of
SCENIC CONSIDERATIONSPlease complete Appendix A of the NRPA application.  SEE APPENDIX A  WHAT FACILITIES ARE NEARBY?
The nearest public boat launch is located inapproximatelymiles from the project location. (town) (distance)
The nearest public, commercial, or private marina is located in <u>Belfast</u> approximately of the project location. (town)  (distance)
I have inquired about slip or mooring availability at the nearest marina or public facility.
Yes, a slip or mooring is available. No, a slip or mooring is not available.

	•
∏ I have o	OEO contacted the local H <del>arbor Master.</del> Name:
	4 BOALDMAN Phone: 734-6728
I currently	use the following for my boat:  Mooring  Marina
TELL US A	ABOUT YOUR PROPOSED PIER, DOCK OR WHARF
MATERIA	LS:
	The structure will be supported by pilings.  pilings of inches in diameter
.53	The structure will be supported by stacked, flow-through granite cribs.  blocks, measuring /o feet by /o feet
	The structure will be supported by solid fill square feet of solid fill
	Other:
DIMENSIO	ONS:
Width of Length o Dimension Distance Depth of Depth of Depth of	f fixed section:  fixed section:  f ramp:  f ramp:  f ramp:  f feet  fixed section:  f ramp:  f feet  framp:  f feet  fons of float:  f feet  fe
ACCESS:	·
Durin	g construction, my project site will be accessed via:
	☑ Land
	☐ Beach/intertidal area
	₩ Water/barge

•



## NOTICE OF INTENT TO FILE

Attached is the notice of intent to file that was forwarded to the abutters, municipal office, and local newspaper. Also attached is a list of abutting property owners.

- 1.) Abutter's List
- 2.) Letter to Abutters
- 3.) Public Notice

#### Abutters List Choate Property

#### TARGET PROPERTY:

Wharf Landing Way East Islesboro, ME 04848 MAP 11 LOT 26

#### ABUTTERS:

Hollins Corp. PO Box 92 Islesboro, ME 04848 Map 11 Lot 20

Nicholas Love PO Box 102 Islesboro, ME 04848 Map 11 Lot 21

Dark Harbor Partners c/o Frederic Thomas 190 Two Lights Road Cape Elizabeth, ME 04107 Map 11 Lot 24

#### PUBLIC NOTICE: NOTICE OF INTENT TO FILE

Please take notice that Tim Choate (1390 South Dixie Highway, Miami, FL 033146) is intending to file a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. §§ 480-A through 480-Z on or about October 31, 2008.

The application is for the installation of a pier and a seasonal ramp/float. The project site is located at Wharf Landing Way East, Islesboro, Maine.

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in Augusta during normal working hours. A copy of the application may also be seen at the municipal offices in (slesboro, Maine.

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333 or the appropriate regional office.



Hollins Corp. PO Box 92 Islesboro, ME 04848

RE: Choate Property

Wharf Landing Way East, Islesboro

Dear Landowner:

Gartley & Dorsky Engineering & Surveying, Inc. represents your neighboring landowner (or their agent) for a project, which requires review by the Maine Department of Environmental Protection (DEP). As part of this process, we are required to notify you as an abutting landowner about the activity and the permit application we are completing. The specific language of the notice is mandated by the state, and is enclosed with this note. The state also mandates the manner of delivery to be certified mail. Many landowners find the information insufficient on its own, and have questions or concerns due to the very formal nature of the notice. Please feel free to contact us, or the DEP, at your preference, to ask questions or express concerns.

The notice identifies the name of the applicant (often the owner of the parcel), and the type of project and the nature of the DEP permit. It also indicates that you can view the full application at the municipal offices and at one of the DEP offices (Portland, Augusta, or Bangor). If you are receiving notice regarding a public information meeting, the location, date, and time will be identified. Meeting attendance is not required of you as a landowner. Comments can be directed to the DEP independently of the meeting, as well.

You are receiving this notice because our review of municipal records indicates that you are a property owner abutting this project. If you feel you are receiving this notice in error, would you please advise us so we can correct our records.

Again, if you have any questions or concerns please feel free to contact us.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller -



Nicholas Love PO Box 102 Islesboro, ME 04848

RE: Choate Property

Wharf Landing Way East, Islesboro

#### Dear Landowner:

Gartley & Dorsky Engineering & Surveying, Inc. represents your neighboring landowner (or their agent) for a project, which requires review by the Maine Department of Environmental Protection (DEP). As part of this process, we are required to notify you as an abutting landowner about the activity and the permit application we are completing. The specific language of the notice is mandated by the state, and is enclosed with this note. The state also mandates the manner of delivery to be certified mail. Many landowners find the information insufficient on its own, and have questions or concerns due to the very formal nature of the notice. Please feel free to contact us, or the DEP, at your preference, to ask questions or express concerns.

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Again, if you have any questions or concerns please feel free to contact us.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



Dark Harbor Partners c/o Frederic Thomas 190 Two Lights Road Cape Elizabeth, ME 04107

RE: Choate Property
Wharf Landing Way East, Islesboro

Dear Landowner:

Gartley & Dorsky Engineering & Surveying, Inc. represents your neighboring landowner (or their agent) for a project, which requires review by the Maine Department of Environmental Protection (DEP). As part of this process, we are required to notify you as an abutting landowner about the activity and the permit application we are completing. The specific language of the notice is mandated by the state, and is enclosed with this note. The state also mandates the manner of delivery to be certified mail. Many landowners find the information insufficient on its own, and have questions or concerns due to the very formal nature of the notice. Please feel free to contact us, or the DEP, at your preference, to ask questions or express concerns.

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You are receiving this notice because our review of municipal records indicates that you are a property owner abutting this project. If you feel you are receiving this notice in error, would you please advise us so we can correct our records.

Again, if you have any questions or concerns please feel free to contact us.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller

## **APPLICATION DISTRIBUTION LIST**

Attached is a copy of the letter forwarded to the Maine Historic Preservation Commission, applicable Native American Tribes, and the Town of Islesboro (Municipality).



Earle G. Shettleworth, Jr.
Maine Historic Preservation Commission
65 State House Station
Augusta, ME 04333-0065

Subject: Choate Property

Wharf Landing Way East

Dear Mr. Shettleworth:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro. The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

There are no known buildings over 50 years old on or adjacent to the property, so the 'Historic Structure Survey Form' will not be submitted.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller

CC: William Phillips, Chief, Aroostook Band of Micmacs
Donald Soctomah, THPO, Passamaquoddy Tribe of Indians, Pleasant Point Reservation
Tribal Historic Preservation Officer, Houlton Band of Maliseet Indians
Donald Soctomah, THPO, Passamaquoddy Tribe of Indians, Indian Township Reservation
Bonnie Newsom, THPO, Cultural & Historic Preservation Program, Penobscot Nation



October 29, 2008

Mr. William Phillips, Chief Aroostook Band of Micmacs 7 Northern Road Presque Isle, ME 04769

Dear Mr. Phillips:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro. The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



October 29, 2008

Donald Soctomah, THPO
Passamaquoddy Tribe of Indians
Pleasant Point Reservation
P.O. Box 343
Perry Point, ME 04667

Dear Mr. Soctomah:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro. The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



October 29, 2008

Tribal Historic Preservation Officer Houlton Band of Maliseet Indians 88 Bell Road Littleton, ME 04730

Dear Madam or Sir:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro. The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



October 29, 2008

Donald Soctomah, THPO
Passamaquoddy Tribe of Indians
Indian Township Reservation
P.O. Box 301
Princeton, ME 04668

Dear Mr. Soctomah:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro. The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



October 29, 2008

Ms. Bonnie Newsom THPO
Cultural and Historic Preservation Program
Penobscot Nation
6 River Road
Indian Island Reservation
Old Town, ME 04468

Dear Ms. Newsorn:

Enclosed please find the application for the Maine Department of Environmental Protection's (MDEP) Natural Resource Protection Act (NRPA) regarding the Choate property on Wharf Landing Way East in Islesboro: The Corps of Engineers requires the applicant to submit a copy of this application and plans to your office for review. Pursuant to the NRPA application, if you should have any comment on the application, please send all comments to me, and I will forward them to the U.S. Army Corps of Engineers.

If you have questions regarding this application, please feel free to contact me directly at (207) 236-4365.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

Doug Miller



## LETTER OF TRANSMITTAL

PROJECT N	O. # 2008-039	I	DATE: October 30, 2008
TO: Town of Islesboro PO Box 76		ATTENTION:	Town Clerk
isies .	boro, ME 04848 {	RE:	Choate Property Wharf Landing Way East Islesboro, Maine
WE ARE SEN	DING YOU	⊠ enclosed	under separate cover
Prin:	ts 🔲 Mylar	Deed description	☐ Proposal ☐ Billing
Lette	er 🗌 Report	Copy of letter	☐ HHE 200 ☐ Application
COPIES	DATE	DESC	RIPTION
1	10-28-08	-5.4.	NRPA Permit
. 2		/ 日 / 1	
THESE ARE	FRANSMITTED AS	S CHECKED BELOW:	
<del></del>	quested teview and Comment	For your use t Return with Correct	For approval
REMARKS:	•		
		receive a copy of the referer 236-4365. Thank you.	nced permit application. If you
•		SIGNED:	Doug Miller

### **ATTACHMENT 12**

### **MISCELLANEOUS DOCUMENTS**

Documentation of Title, Rights and Interest (Warranty Deed)

Flood Insurance Rate Map (FIRM) Community Panel 230256 0015D

MDEP Significant Habitat Map

Department of Marine Resources Maine Coastal Eelgrass Distribution Map

Town of Islesboro Tax Map

Maine DEP Estimates of Highest Annual Tide (HAT) Levels for Year 2008 table

DMR Communication re: reuse of existing granite blocks

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#### OUTTELLIN DEED

MILLIAN L. HLEIMS, having a mailing eddress of 3575 Doe Run Church Road, East Pallowiteld, Pennsylvania 19320, for consideration paid, GRANTS to arrive Source CHORTE, having a mailing address of 1390 Dixle Highway, Suite 2321, Corel Gables, Plorida 33146, with gorrelate Coverent, an undivided two-thirds (2/3) interest in common in and to certain real property situated in the town of Islasborg, Waldo County, Maine, described in SCHEDGES A attached hereto and incorporated barein.

Reference is hereby made to the following:

- I. Deed of Distribution from William L. Elkins, et al., Domiciliary Foreign Personal Representative of the Betata of Eloise Weld Choace, to Carol Elkins, William L. Elkins, and Arthur Bourne Choate, dated October 15, 2002, and recorded in Book 1919, Page 117 in the Waldo County Registry of Deeds; and
- Deed from Carol Elkins to William L. Elkins, dated Movember 22, 2002, and recorded in Book 2348, Page 146 in said Registry of Deads.

MITHRESS him hand this Bithday of July 2003.

William L. Elker

daire Rest Established (rection)

22-07-12 12-10

M2455 #318

COMMENSATE OF PERSONAL PROPERTY AND ASSESSMENT OF COMMENSATE OF COMMENSA

Jun 13 . 20

Principally appeared before on the above-need William is Thing and enterededed the above instrument to be his free and and dead.

Jacala Charle

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AFTERLA REAL MANAGEMENT OF THE PARTY OF THE

eventy-twe fram name to be conveyed to telestore Associates extend and the first tender of the same gorth, 5.0° each three numbed resire (212) feet by said land to be universal telestore hasociates excluding his part to be conveyed to belowhere Masociates excluding the parth landing to the dam at the outjet of Park forming the parth landing to the dam at the outjet of Park forming the part landing to the dam at the outjet of Park forming point price of land of Parid A. Leenard, there sents in the part telestore of the first telestore to the parid by the land of Parid A. Leenard there on said that as lot lies of land of asid Nemics S. Leenard there or said that as lot lies of land of asid Nemics S. Leenard there are at 100 pines. I does benefited twenty-regists [128] feet to an iron pines in. I does benefited twenty-regists [128] feet to an iron pines in. I does benefited twenty-regists [128] feet to an iron pines in. I does benefit to the parid land attempting the land the server of the parid pine attempting the land the parid pine attempting a server ulman the back of the park Nachen post which is no he conveyed to

Together with the right and encours so will assume an

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#### SCHEDULE A

Certain lots of parcels of land, together with the structures thereon, situated in Isleaboro, Waldo County, Hains, described as Iollows:

FIRST PARCEL: All and the same premises described as conveyed in the deed from Clarence Dillon and Winthrop W. Aldrich to Arthur O. Choate, Ur. and Eloise W. Choate, dated September 2, 1969, and recorded in Book 574, Page 14, in the Waldo County, Maine, Registry of Deeds, as follows:

"First: Beginning at an iron pipe on the easterly side of the right of way leading northerly from the town road, marking the northerly line of Lot No. I as designated on said plan made for the Talesboro Inn Company in June 1958; thence north 69° 30° west bounded in part by said right of way eighty-seven (87) feet. to an iron pipe marking the northeasterly corner of a lot of land now owned by Islesboro Associates for water supply; thence south \$2° 45' went by maid water supply lot one hundred twentyfive (125) feet to An ixon pipe warking the northwesterly corner of said water supply lot; thence north 25° west by Lot No. 3 as designated on said plan nicety-three (93) feet to the line of land which is to be conveyed this same date by the said Clarence Dillon and Winchrop W. Aldrich to Islasboro Associates: thence north 54" east by said land to be conveyed to Islesboro Associates eaxty-five (65) (set to an iron bolt; thence north 45' east by caid land to be conveyed to Islamboro Associates seventy-two (72) feet to an iron bolt; thence north \$14 east three hundred twelve (312) feat by said land to be conveyed to Islesboro Associates to an iron bolt; thence morth 73° east still by land to be conveyed to Islamboro Associates and crossing the path leading to the dam at the outlet of Dark Marbor pool sinety (90) feet to an iron bolt in the westerly line of land of Jessie H. Leonard, thence south 33° cast by the line of land of said Jessie R. Loonard shown on said plan as lot No. I one hundred twenty-eight (128) feet to an iron pipe; thence south 56\* 34' west still by said Lot No. 1 three hundred seventy-five (175) feet to the place of beginning (being the major portion of Los No. 2 on said plan excepting a strip along the bank of the Dark Harbor pool which is to be conveyed to Isleaboro Associates).

Together with the right and essentent to walk across and over said land to be conveyed to Islesboro Associates located

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northerly of the lot hereby conveyed for the purpose of reaching the waters of Dark Harbor pool.

Together with a right of way to the town road.

The Grantors except from this conveyance, as excepted in the deed of Islasboro Inn Company to said Chirance Dillon and Winthrop W. Aldrich and recorded in Waldo Registry of Deeds in Book 556, Page 199. The rights now owned by Islasboro Associates to lay, maintain, and repair water pipes as now located over the presses or in locations reasonably near the present pipes, but not to interfere with the location of any buildings now built or to be built upon the premises conveyed.

The Grantors also grant to the said Grantees, their heirs, administrators, executors and assigns, the right to obtain from the well located on the Water Supply Lot shown on said plan a reasonable amount of water upon the payment of a proportionals share of the cost of obtaining such water.

Subject nevertheless to the following covenants and conditions: That the said Grantets for themselves, their heirs, executors, administrators and assigns covenant that no brewery, distillery, slaughter house, bone boiling establishment, acop and candle manufactory, poudrette, neat foot oil, starch or ivery black establishment, white lead works, gunpowder or chemical laboratories, atles for the kenping of pigs or structure for the conduct of any unlawful business, shall be srected upon the premises so conveyed or any part thereof.

Second: Also another certain lot or parcel of land in Islamboro, County of Maldo and State of Mains, with the buildings thereon, as shown on plan entitled 'Flan Showing Land Surveyed for Islamboro Inn Company, Islamboro, Maine, June, 1956 - Scale 1° = 50° By F. R. Wood, Civil Engineer, Rockland, Maine, bounded and described as follows:

Beginning on the tasterly side of the town road leading through the village of Dark Harbor, so called, at an iron pipe and at the southerly line of land to be conveyed this date by Clarence Dillon and Winthrop W. Aldrich to Islesboro Associates; thence north 65° east one hundred seventy (170) feet to, an iron bolt; thence north 78° east one hundred seven (107) feet to an iron bolt; thence north 54° east two hundred sixty-seven (267) feet to the westerly list of Lot No. 2 on said plan; thence

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south 25\* mast minety-three (93) fast by said int No. 2 to en tron pipe marking the northwesterly corner of the Mater Supply Lot shown on said plan which lot is now owned by Islasboro Associates; thence south 7º 45' east by said Water Supply "Lot one hundred seventy-five [175] feet to an iron pipe; thence porth 82° 45' asst one hundred twenty-five (125) feet to an iron pipe; thence north 7° 45' west one hundred seventy-five (175) feet to an iron pipe at Lot No. 2 on said plan; thence south 69° 30' east by said Lot No. 2 eighty-seven (87) feet to an iron pipe on the enacerly side of a right of way, said iron pipe marking a corner of Lot No. 1 on said plan; thence southeasterly. . by said right of way seventy-five (75) feet to an sron pipe marking the northwesterly corner of land of William Wister, thence southerly still by the easterly side of said right of way and the land of said Mister about two hundred forty (260) feet to the northerly side of the aforesaid town road; thence westerly and northerly by said town road to the place of beginning (hereby conveying the major portion of lot 80. 1 on eard plan, but excepting the mortherly portion of said tot No. 1 adjacent to Dark Marbor pool, together with a strip of land along the bank of Dark Harbor pool which is to be conveyed to Islesboro Annociates).

Together with the right and exament to walk across and over a certain strip of land (which the Grantors will convey to Islesboro Associates) for the purpose of reaching the waters of the Park Harbor pool, which strip of land is bounded and described as follows:

Beginning at the easterly side of the town road which leads to the village of Dark Marbor at an iron bolt which is thirtyfive (35) feet northerly from the beginning bound of the foregoing described lot; thence morth 65° east one hundred ninety-eight (198) feet to an Iron bolt near the crest of the bank; thence continuing in the same course one hundred (190) feet, more or less, to the waters of the Dark Harbor pool; thence morcheasterly and easterly by the waters of the Dark Harbor pool to the dam at the Outlet of eaid pool and passing through said dam and continuing by the waters of Dark Harbor forty (40) feet, more or less, mesterly of said dam to a point in the range of the mext described line; thence south 33° east by the line of land of Jessie H. Leonard forty (40) feet, sura or less, to an iron pipe on the bank; thence continuing the same course forty (40) feet to an iron pipe; thence south 73° west ninety (50) feet to au from bolt; thance south \$1° west three

BK2455 PG322

hundred twelve (312) feet to an iron holt; thence south 85° west seventy-two (72) feet to an iron holt; thence south 84° west three hundred thirty-two (332) feet to an iron holt; thence south 78° west one hundred seven (107) feet to an iron holt; thence south 65° west one hundred seventy (176) feet to an iron holt; thence south 65° west one hundred seventy (176) feet to an iron holt in the town road; thence northerly by the town road thirty-five (35) feet, more or loss, the place of beginning.

Excepting from this conveyance, however, the right of way located at the easterly side of the herein conveyed land which leads northerly from the town road past land of said Wiscer, bot No. 1, and Lot No. 2 to said Water Supply Lot.

Also excepting from this conveyance the rights as excepted from Isleaboro Inn Company to said Dillon and Aldrich and recorded in Meldo Registry of Boedd in Book Sie, Page 399, which rights are now owned by Isleabore Associates, to lay, maintain, and tepair water pipes as now located on the premises or in locations reasonably mass the present pipes, but not to interfere with the location of any buildings now built or to be built upon the premises conveyed.

The Grantors also hereby grant to the said Grantees, their heirs, administrators, executors and assigns the right to obtain from the well located on said Water Supply Lot a reasonable amount of water upon the payment of a proportionate share of the cost of obtaining such water.

Subject nevertheless to the following covenants and conditions: That the said Grantees for themselves, their heirs, executors, administrators and assigns covenant that no browery, distillery, slaughter house, bone boiling establishment, some and candle manufactory, poudratts, neat foot oil, starch or ivery plack establishment. White lead works, gunpowder or chemical laboratories, sties for the keeping of pigs or cructure for the conduct of any unlawful business, shall be exected upon the premises so conveyed or any part hereof.

Third: A certain lot at Islamboro in the County of Waldo and State of Mains, known as the 'Sever Lot', and located Samterly of other land of Said Arthur O. Choate, Jr. and Eloise W. Choate and southerly of the lot described under 'Second' above and adjoining East Penobscot Bay, subject to whatever rights any other land owners may have in this vicinity to use the never pipe located on paid lot.

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The lot hereby conveyed and described above as used for sever purposes is more fully described in deed of Samuel G. Dixon to lalesboro Inn Company, dated October 31, 1916, and recorded in Waldo Registry of Deeds in Book 329, Page 412 As Set forth in the second parcel of said deed.

Fourth: All of the right, title and interest of these Grantors in and to another certain lot or parcel of land in Waldo County and the Town of Islamboro, bounded and described in the second parcel set forth in deed of Islamboro Land and Improvement Company dated October 23, 1922, and recorded in Waldo Registry of Deeds in Book 164, Page 351 am follows:

"Being all that certain parcel of land (now partly used as a cost yard) adjoining said wharf shown on said plan and bounded as follows:

Beginning at a point in the southerly side of said road to said wharf at a corner of said second parcel and of a parcel of land ten feet wide owned by said islemboro into company and containing a sower pipe; thence 5. 25° 40° E. on the easterly line of said parcel of land 10 feet wide to the shore of last Penobacot Bay; thence by said shore in a generally easterly direction as the shore runs and by land of Esstern Steamship Company to the southerly side of said road at said wherf; thence Northwesterly, westerly, and southwesterly along the southerly side of said road to the first mentioned point and place of beginning; containing 1/2 sere be the same more or less."

EXCEPTING the precises described as conveyed in the dead from Arthur O. Choate, Jr. and Sloice W. Choate to Nicholas T. Love, dated November 17, 1980, and recorded in Book 784, Page 64 in said Registry of Deeds as follows:

's certain lot or percel of land with the improvements thereon, situated on Isleeboro, County of Waldo and State of Maine, as shown on plan entitled 'Plan Showing Land Surveyed for Isleeboro Inn Company, Isleeboro, Mains, June 1956' by T.K. Wood, bounded and described as follows:

BECINNING at an iron pipe at the southeasterly sorner of the Water Supply lot as shown on said plan of F.H. Wood; theore south 82\* 45' west by Lot 83 on said plan one hundred twenty-five (125) feet to an iron pipe; thence north 7° 45' west ten (10) feet to an iron pipe; thence north 59° 45° east one hundred termty-nine (129) feet to an iron pipe; thence south 7° 45° tast forty (40) feet to an iron pipe, the place of beginning, being the southerly portion of the Mater Supply Lot as shown on said plan, with the buildings thereon.

REFERENCE is made to deed from Islamboro Inn Company to Islamboro Associates dated September 30, 1958, and recorded in Maldo County Registry of Deeds in Book 561, Page 86. The above-described land is a portion of the property described in said deed.

EXCEPTING from this conveyance the rights of Islesboro Ramoriates to lay, maintain, and repair water pipes as now located over the promises or in locations reasonably near the present pipes, but not to interfere with the location of any buildings now built or to be built upon the premises conveyed.

Subject nevertheless to the conditions as found in deed from Islesboro Associates to Arthur O. Choste, Jr. and Eloise W. Choste dated September 2, 1959 and recorded in Weldo County Registry of Deede at Book 574, Page 31.

ALSO CONVETING two certain lots or percels of land with the improvements thereon, situated on Islesboro, County of Waldo and State of Maine, bounded and described as follows:

Pirst: BECIENING at an iron pipe on the easterly side of the right of way leading northerly from the town road, marking the northerly line of Lot #1 as designated on said plan made for the Telesboro Inn Company in June 1958; thence north 69° 10' west bounded in part by said right of way eighty-seven (87) feet to an Iron pipe marking the northeasterly corner of a lot of land now owned by Islamboro Associates for water supply; thence south 82° 45' west by said water supply lot one hundred twenty-five (125) feet to an iron pipe marking the northwesterly corner of said water supply lot; thence north 25° west by Lot.#3 as designated on said plan ninety-three (93) feet to the line of land conveyed by Clarence Dillon and Winthrop W. Aldrich to-Iglemboro Associates; thence north 54" east by said land conveyed to Islesboro Associates by Clarence Dillon and Winthrop W. Aldrich Sixty-five (65) feet to an iron bolt; thence north 85° eact by said land conveyed to lalesboro Associates seventy-two (72) [eet to an iron bolt; thence north 61° east three hundred twelve (312) feet by maid land conveyed to

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Inleadore Associates by Clarence Dillon and Winthrop W. Aldrich to an iron bolt; thence north 73° east still by said land of Islasbore Associates and crossing the path leading to the dam at the outlet of Dark Marbor pool number (90) feet to an iron bolt in the westerly line of land of Jassie A. Leonard; thence south 33° cast by line of land of said Jassie H. Leonard shown on said plan as Lot 31 one hundred twenty-eight (124) feet to an iron pipe; thence south 56° 10° west still by said Lot \$1 three hundred seventy-five (375) feet to the place of beginning (being the major portion of Lot \$2 on said plan excepting a strip along the bank of the Dark Herbor pool which has been convayed to Islasbore Associates).

WALLO COURTS COLLEGE CO. CO.

Together with the right and essement to walk across and over said land conveyed to Islamboro Associates on September 2. 1959 by Dillon and Aldrich, located northerly of the lot hereby conveyed for the purpose of reaching the waters of Dark Harbor pool. Together with a right-of-way to the Town Road.

The Grantors except from this conveyance, as excepted in the deed of lelesboro lan Company to said Clarence Dillon and Winthrop M. Aldrich and recorded in Waldo Registry of Deeds in Book 556, Page 189, the rights now owned by Isleaboro Associates to lay, maintain, and repair water pipes as now located over the premises or in locations reasonably near the present pipes, but not to interfere with the location of any buildings now built or to be built upon the premises conveyed. The Grantors also grant to the said Grantees, their heirs, administrators, executors and assigns, the right to obtain from the well located on the Mater Supply Lot shown on said plan a reasonable amount of water upon the payment of a proportionate share of the cost of obtaining such water.

Subject nevertheless, to the following covenants and conditions: That the said Grantees for themselves, their heirs, executors, administrators and assigns covenant that no brewery, distillery, alsughter house, bone boiling escalishment, soap and candle manufactory, poudrette, meat foot oil, starch or ivery black astablishment, white lead works, gumpowder or chemical laboratories, stice for the keeping of pigs or structure for the conduct of any unlawful business, shall be created upon the premises so conveyed or any part thereof.

Second: Another certain lot or parcel of land is lelembors. County of Waldo and State of Mains, with the

22-2000 12.00

buildings thereon, as shown on plan entitled "Plan Showing Land Eurycyed for Islamboro Inn Company Islamboro, Maine, June, 1958 - Scale 1" - 50" By P.R. Wood, Civil Engineer, Rockland, Maine bounded and described as follows:

BEGINNING on the easterly side of the town road leading through the village of Dark Harbor, so-colled, at an iron pipe and at the southerly line of land conveyed September 2, 1959 by Clarence Dillon and Winthrop N. Aldrick to Isleaboro Associates; thence morth 65° east one hundred seventy (170) feet to an iron bold; thence north 79° cast one hundred seven (107) feet to an iron bolt; thence north 54° cast two hundred sixty-seven (267) feet to the westerly line of Lot #2 on said plan; thence south 25° east ninety-three (93) feet by said Lot #2 to an iron pipe marking the northwesterly corner of the Water Supply Lot shown on said plan which lot is now owned by Isleeboro Associates; thence south ?" 45' east by said Water Supply Lot one hundred meventy-five (175) feet to an Iron pipe; thence north 82\* 45\* cost one hundred twenty-five (125) feet to an iron pipe; thence morth 7° 46' west one hundred seventy-five (175) feet to an iron pipe at Lot #2 on said plan; thence south 69° 30' east by said Lot 82 eighty-seven (87) feet to an iron pipe on the easterly wide of a right-of-way, waid from pipe marking a corner of Lot \$1 on said plan; thence southensterly by said right-of-way seventy-five (75) feet to an iron pipe marking the northwesterly corner of land of William Wister; thence southerly atill by the easterly side of said right-of-way and the land of said Wister about two hundred forty (240) feet to the northerly side of the afpressid town road; thence westerly and northerly by said town road to the place of beginning (hereby conveying the mejor portion of Lot \$3 on said plan, but excepting the northerly portion of said Lot #3 adjacent to Dark Harbor pool, together with a strip of land along the bank of Dark Harbor pool which was conveyed on September 2, 1959 from Dillon and Aldrich to Islesboro Associates).

Together with the right and easement to walk across and over a certain strip of land owned by Islamboro Americans for the purpose of reaching the waters of the Dark Harbor pool, which strip of land is bounded and described as follows:

BEGINNING at the emeterly side of the town road which leads to the village of Dark Harbor at an iron bolt which is thirty-five (35) feet northerly from the beginning bound of the aforegoing described lot; thence north 65° cast one hundred

minety-might (198) feet to an iron bolt mear the crest of the bank; thence continuing in the same course one hundred [100] feet, more of less, to the waters of the Dark Harbor pool; thence northeasterly and casterly by the waters of the Dark Harbor pool to the dam at the outlet of said pool and passing through said dam and continuing by the waters of Dark Harbor forty (40) feet, more or less, casterly of said dam to a point in the range of the next described line; thence south 33° east by the line of lend of Jessie M. Leonard forty (40) feet, wore or less, to an iron pipe on the bank; thence continuing the same course forty (40) feet to an iron pipe; thence south 73° west minety (90) feet to an iron bolt; thence south 61" west three hundred twelve (312) feet to an from bolt; thence south \$5" west seventy-two (72) feet to an iron bolt; thence south 54° west three hundred thirty-two (332) feet to an Iron bolt; thence south 78° west one hundred seven (107) feet to an Iron bolt; thence south 65° west one hundred seventy (170) feet to an iron holt is the town road; thence northerly by the town road thirty-five (35) feet, more or less, to the place of beginning.

Excepting from this conveyance, however, the right of way located at the easterly side of the herein conveyed land which leads northerly from the town road past land of said water. Lot \$1, and Lot \$2 to said water Supply Lot. ALSO EXCEPTING from this conveyance the rights as excepted from Islasboro Inn Company to said Dillom and Aldrich and recorded in Maldo Registry of Deeds in Book 556, Page 393, which rights are now owned by Islasboro Associates, to lay, maintain, and repair water pipes as now located on the premises or in locations reasonably near the present pipes, but not to interfere with the location or any Dwildings now built or to be built upon the premises conveyed.

The Grantors also hereby grant to the said drantees, their heirs, administrators, executors and assigns the right to obtain from the well located on said Mazer Supply Lot a reasonable amount of water upon the payment of a proportionare share of the cost of obtaining the water.

Subject nevertheless to the following covenants and conditions: That the said Grantee for himself, his helfs, executors, administrators and assigns covenants that to brewery, distillary, eleughter house, bone boiling establishment, soon and candle magnifectory, poudrette, neat foot oil, starch or ivory black establishment, white lead works, gunpowder or

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chemical laboratories, stime for the keeping of pigs or attracture for the conduct of any unlawful business, shall be exected upon the premises so conveyed or any purt thereof."

SECOND PARCEL: One-half interest in premiers described as conveyed in the deed from Ray C. Ellis and Island Products Company to Arthur C. Chaste, Jr. and Bloise W. Choate, as joint tenants, dated September 1, 1970, and recorded in Book 685, Page 557 in said Registry of Deeds as follows:

#### PARCEL 1.

Beginning on the northerly side of the town road leading to the old Steamboat wherf and at the easterly line of a private road to the inn property so-called; thence north-enterly by the easterly line of maid private road two hundred forty feet (240') to an iron bolt; thence North 56 degrees 30 minutes East four hundred twenty-six feet (426') to an iron bolt; thence South 27 degrees 45 Minutes East one hundred twenty-three feet (121') to an iron bolt at the shore of the Penobecot bay and continuing the same course to low water; thence by the waters of said Penobecot Bay in a general southerly direction along the turns and twists thereof to an iron bolt at high water mark marking the northeasterly line of premises formarly of the Eastern Steamship Company; thence by high water and running by the premises of said Eastern Steamship Company to the side of the aforesaid road; thence north-esterly by said road three bundred feet (300'), wore or less, to the place of beginning, together with the right to take water from the well on the premises formerly of felephore fun Company known as the Inn property and the right to lay and maintain pipes across the said premises to maid well therefore.

#### PARCEL Z.

Beginning at a point on the southerly side of the town road leading through the village of Dark Marbor, so-called, to a wharf, said point being situated at the northeasterly corner of a partel of land ten feet (10') wide now or formerly of Islesboro Inn Company and containing a sever pipe as indicated in a Plan entitled 'Plan Showing Land Surveyed for Islesboro Inn Company, Islesboro, Maine, June 1958, -- Scale 1'-50' By F.E. Wood, Civil Engineer, Rockland, Maine; thence South 25 degrees 49 minutes East on the easterly line of said parcel of land ten feet (10') wide to the shore and by land now or formerly of

Eastern Steamship Company to the southerly side of said road at said wharf; thence northwesterly, westerly, and southwasterly along the southerly side of said road to the first mentioned point and place of beginning; containing one-half acre, more or less."

TRIRD PARCEL: One-half interest in the premises situated in the said Town of Islamboro, described as conveyed in the dead from Ray C. Bilis and Island Products Company to Arthur O. Choste, Jr. and Bloise W. Choste, as joint tenants, dated September 1, 1970, and recorded in Book 605, Page 560 in said Registry of Deads as follows:

"All that certain Wharf on East Penobscot Ray at Dark Harbor, Islesboro, in the County of Waldo, State of Maine, Wituate at the easterly side of the Island of Islesboro south of the entrance to Dark Harbor and at the foot of the read leading to said Wharf from the Islesboro Inn together with four hundred feet (400°) of shore front between high and low water marks (so far as the title thereto is in said Island Products Company), said shore line at high water described according to a survey made by L. H. Gilkey on the Fifteenth of Reptember, 1909, as follows, to wit:

Beginning at an iron bolt No. 1 mortheasterly from Dark Marbor Wharf and at high werer mark; thence South 32 degrees West one hundred fifty feet (150°) to an iron bolt No. 7 in the center of traveled way and North 31 degrees West Sixty-two feet, nine inches (62° 9°) from an iron bolt on the northeasterly side of said Wharf; thence South 72 degrees West two hundred fifty levt (250°) to an iron bolt No. 3 standing at high water mark. It being four hundred feet (400°) from bolt No. 1 to bolt No. 3 and together with the right-of-way over the road now or formerly of the Islesboro Land and Improvement Company to the town road so-called on the said Island of Islesboro.

for source of title to the above-described premises, reference is made to a sortgage to Island Products Company dated September 1, 1962 and recorded in Maldo County Registry of Deeds, which mortgage was foreclosed by public notice, a true copy thereof being recorded in said Registry in Book 675, Page 1014."

PODERN PARKED: All and the same premises situated in said Telesboro described as conveyed in the deed from Landon Thomas.

#2455 PG330

Jr. to Eloise W. Choate, dated August 28, 1996 and recorded in Book 1179, Page 68 in said Registry of Deeds as follows:

"DESIMPING at a concrete monument on the southerly side of the town road at the northeasterly corner of land of Harry Mollina and Mariella B. Mollina, now or formerly, as described in a deed recorded at the Maldo County Registry of Deeds in Book 762, Page 173; thence North 60° 0' 5° East by the acutherly side of said town road mixty and seventy hundredths (60.70) feet to rod set by Good Deeds, Inc.; thence North 75° 4' 58' East by the agutherly eide of said town read twenty and forty-two hundredths (20.42) feet to rod set by Good Deeds, Inc.; thence North 14" 55' 02" West seventeen and fifty hundredths (17.50) feet to rod set by Good Deeds, Inc., at the center of said road; thence Morth 75° 04' 56° East thirty-five and seventy-two hundredths (35.72) feet to rod set by Good Deeda, Inc.; thence south 87\* 41' 55" Rast forty-two and fourteen hundredths (42.14) feet to rod set by Good Deeds, Inc., thence South 57\* 10' 02" East one hundred eight and seventy-six hundredths (108,76) feet to rod set by Good Deeds, Inc.; thence South 43° 49' 50° East one hundred ten (110) feet to a drill hole mat in a ledge; thence South 43" 49' 50" East twenty (20) feet, wore or less, to the high water mark of Penobecot Bay; thence westerly following the high water mark of Penobscot Bay four hundred forty (440) feet, more or less, to a point at the southeasterly corner of land of Holling, now or formerly, as described in the deed recorded in Book 782, Page 173; thence North 24° 51' 07' West twenty (20) feet, more or less, by the land of Hollins, now or formarly, to rud set by Good Deeds. Inc. (which iron rod is located by a tie-line North 86° 09' 58" Nest two hundred cighty-five and seventy-nine hundredths (265.79) feet from the drill hole in a ledge last mentioned); theace North 24° 51' 07" West by land of Hollins, now or formerly, mixty-four and sixty-five hundredths (64.65) feet to the concrete measurent at the point of beginning.

ALSO CONVEYING the intertidal land between high water mark and low water mark of Penobecot Say adjacent and appurtenant to the above-described presides.

ALSO CONVEYING to Eloise W. Choate, her heirs and assigns, and reserving to Landon Thomas, Jr., his heirs and assigns, An easement to be used in common by the Grantor and the Grantot, their heirs and assigns, which easement passes in part over, under and upon the land of Choate and in part over, under and upon the land of Thomas. Said easement shall be for pedastrian

and motor vehicle access and for the installation, maintenance and repair of all utilities. Said essement shell be thirty-five (35) feet in width and shall extend seventeen and one-half (17 1/2) feet to either side of the following described centerlines.

5**6**7-22-2006 12-00

BEDINNING at rod set by Good Deeds, Inc., which rod is located North 41° 49' 50° Nost one hundred ten (110) feet from 4 drill hole in a ledge (which drill hole is twenty (20) feet, more or less, from the high water mark of Penobacot Bay) and is located at the common line between land of Choace, as described in this deed and land of Thomas as described in a deed from Choate to Thomas to be recorded herewith; thence North 57° 30° wast one hundred eight and seventy-six hundredths (165.76) feet to rod set by Good Deeds, Inc.; thence North 87° 41° 55° West forty-two and fourteen hundredths (42.14) feet to rod set by Good Deeds, Inc.; thence South 75° 94° 58° West thirty-five and seventy-two hundredths (15.72) feet to rod set by Good Deeds, Inc.; at the centerline of the town road.

The cost for the upkeep, maintenance and repair of the above-described easement shall be shared equally by Eloisa M. Choste, her heirs and assigns, and Landon Thomas, Jr., his heirs and assigns.

The above-described parcel of land and easement are depicted on a standard boundary survey showing proposed division of land of Eloise M. Choate and Landon Thomas, Jr., prepared by Gusta Ronson, Registered Land Surveyor, Good Deeds, Inc., 7 Main Street, Belfast, Mains, Job No. 8874, dated November 4, 1989, revised April 3, 1990.

The purpose of this deed is to establish the common boundary between the land of the Grantor and the land of the Grantee and to establish a common tasement along a portion of said common boundary. By this deed, the Grantor also releases any interest be hos in the land of the Grantor also releases any interest be hos in the land of the Grantor also releases including the intertidal land appurtenant to such property. For reference, see a deed conveyed to Arthur and Bloise Chaste by Clarence Dillon and Winthrop Aldrich dated September 2, 1959, and recorded at the Waldo County Registry of Deeds in Book 574, Page 34 (third and fourth described lots), and a deed conveyed to Landon Thomas, Jr., by Frances E. Wister, dated September 21, 1965, and recorded at Book 638, Page 416. Por further reference, see a series of deeds conveyed by Island Froducts Company and Ray Ellie (1.) to Landon Thomas, Jr., Fecorded in

23-2000 10000

Book 683, Page 551, (2.) to Lendon Thomas, Jr., in Book 685. Page 554, (3.) to Arthur O. Choate and Blojse W. Choate, in Book 685, Page 557, and (4.) to Arthur O. Choate and Eloise W. Choate, recorded in Book 685, Page 560. Arthur O. Choate is deceased and Bloise Choate succeeded to ritle as a surviving joint tenant."

EXCEPTING the premises situated in said Islemboro described as conveyed in the deed from Sloise W. Choate to Landon Thomas, Jr., dated August 28, 1990, and recorded in Book 1179, Page 71 in said Registry of Deeds, as follows:

\*BEGINNING at a pipe at the southwesterly corner of land of Ault and Hill, now or formerly, we described in a deed recorded at the Waldo County Registry of Deeds in Sook 713, Page 965, said pipe being on the easterly side of a right-of-way included within the land of Micholss T. Love, now or formerly, as described in a deed recorded in Book 784, Page 64; thence North 56° 20' 46" East by land of Ault and Hill, now or formerly, four hundred twenty-four and sixty-seven hundredche (424.67) feet to a pipe; thance South 27" 52' 40" East by land of Ault and Hill, now or formerly, one hundred thirty-two and twenty-eight hundredths (132.28) feet to a pipe at the high water mark of Penobacot Bay; thence southerly by the high water mark of Penobscot Bay six hundred forty (640) feet, more or less, to a point which is located South 63° 49' 50° East twenty (20) feet, more or less, from a drill hole in a ledge; thence North 43° 49° SO- West twenty (30) feet, more or less, to said drill hole in a ledge, (which drill hole is located South 03" 25" 30" West six hundred two and twenty-five hundredths (652.25) feet from the pipe at the northerly corner of the within described lot at the end of the first course of this description; thence Worth 43° 49' 50" West one hundred ten (110) feet to a rod set by Good Deeds, Inc.; thence Worth 57° 30' 02° West one hundred eight and seventy-six hundredths (108.76) feet to a rad set by Good Deads, Inc.; thence North 67° 42' 55" West forty-two and fourteen hundredthe (42.14) feet to a rod set by Good Deeds, Inc.; thence South 75° 04' 58° West thirty-five and seventy-two hundredths 135.72) feet to a rod set by Good Deeds, Inc., at the center of the town road; thence North 14" 55' 02" West seventeen and fifty hundredths (17.50) feet to a rod set by Michael Thibodeeu at the northerly side of the town road and at the southeasterly corner of a right-of-way within the land of Nicholas T. Love, now or formerly, as described in a deed recorded in Book 784, Page 64; thence Morth 20° 31' 48° West by land of Love, now or formerly,

seventy-three and forty-four hundredths (71.44) feet to a rod out by Good Deede, Inc., thence North 24° 33° 42° west by land of Love, now or formerly, one hundred and twelve hundredths (100.12) feet to a rod set by Good Deeds, Inc., thence North 61° 04° 59° Nest by land of Love, now or formerly, fifty-sight and eighty hundredths (58.80) feet to the pipe at the point of beginning.

367-88-4000 12:00

ALSO CONVEYING the intertidal land between high water mark and low water mark of Penobscot Day adjacent and appurtenant to the above-described premises.

ALSO CONVEYING to Landon Thomas, Jr., his heirs and assigns, and reserving to Bloise W. Choate, her heirs and assigns, an execuent to be used in common by the Grantor and the Grantee, their heirs and assigns, which essement passes in part over, under and upon the land of Thomas and in part over, under and upon the land of Choate. Said essement shall be for pedestrian and motor vehicle access and for the installation, maintenance and repair of all utilities. Said essement shall be thirty-tive (35) feet in width and shall extend seventsen and one-half (17 1/2) feet to either side of the following described centerline:

BEGINNING At a rod set by Good Deeds, Inc., which rod is located North 43° 49° 50° Negt one hundred ten (110) feet from a drill hole in a ledge (which drill hole is twenty (20) feet, more or less, from the high water mark of Penobacot Say) and is located at the common line between land of Thomas as described in this deed, and land of Choate as described in a deed from Thomas to Choate to be recorded herewith; thence North 37° 30° 02° Wast ont hundred eight and seventy-six hundredths (108.76) lest to rod set by Good Deeds, Inc.; thence North 87° 41° 55° West forty-two and fourteen hundredths (42.14) feet to a rod set by Good Deeds, Inc.; thence South 75° 04° 58° West thirty-five and seventy-two hundredths (35.72) feet to a rod set by Good Deeds, Inc., at the center of the town road.

The cost for the upkeep, maintenance and repair of the above-described essement shall be shared equally by Landon Thomas, Ur., his beirs and assigns, and Eloise W. Choste, her hairs and assigns.

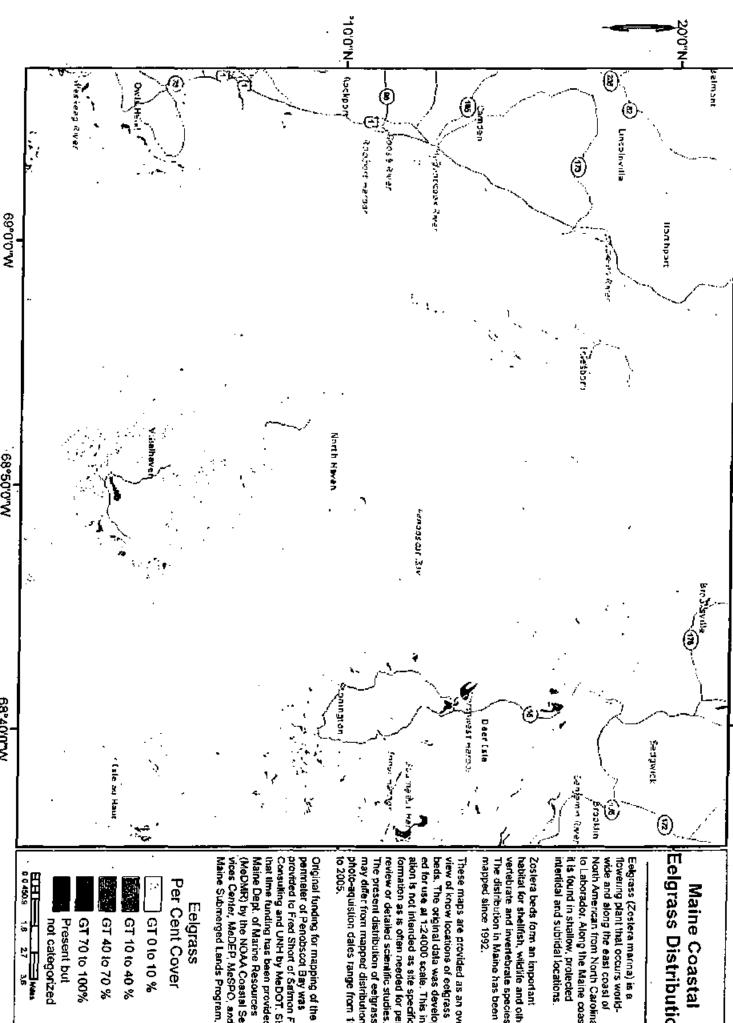
The above-described parcel of land and essentia are depicted on a standard boundary survey showing proposed division

of land of Bloise W. Choate and Landon Thomas, Jr., prepared by Gusta Romaon, Registered Land Surveyor, Good Deeds, Inc., 7 Main Street, Belicat, Mains, Joh No. 6874, dated Hovember 4, 1989, revised April 3, 1990.

The purpose of this deed is to establish the common boundary between the land of the Granter and the land of the Grantee and to establish a common easement along a portion of said common boundary. By this deed, the Granter also releases any interest she has in the land of the Grantee described above, including the intertidal land appurtenant to such property. For reference see a deed conveyed to Landon Thomas, Jr., by Frances K. Wister, deted September 21, 1964, and recorded at the Maldo County Registry of Daeds in Book 638, Page 416, and a dead conveyed to Arthur and Eloise W. Choate by Clarence Dillon and Minthrop Aldrich, dated September 2, 1959, and recorded in Book 574, Page 34 (third and fourth described lots). For further reference, see series of deeds conveyed by Island Products Company and Ray Ellis (1.) to Landon Thomas, Jr., recorded in Book 685, Page 551, (2.) to Landon Thomas, Jr., in Book 685, Page 551, (3.) to Arthur O. Choate and Eloise W. Choate, in Book 685, Page 557, and (4.) to Arthur O. Choate and Eloise W. Choate, recorded in Book 685, Page 560. Arthur O. Choate is deceased and Eloise W. Choate is deceased and Eloise W. Choate is accessed and Eloise W. Choate is deceased and Eloise W. Choate is accessed and Eloise W. Choate succeeded to title as a surviving joint tenant."

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ATTESTS DELAW PAGE



**Eelgrass Distribution** Maine Coastal

vertebrate and invertebrate species. Zostera beds form an important intertidal and subtidal locations. to Laborador, Along the Maine coast habitat for shellfish, wildlife and other it is found in shallow, protected North American from North Carolina wide and along the east coast of flowering plant that occurs world Eelgrass (Zostera marina) is a

photo-aquistion dates range from 199 may differ from mapped distribution as The present distribution of eeigrass review or detailed scientific studies. formation as as often needed for perm ation is not intended as site specific in ed for use at 1:24000 scale. This infor beds. The original data was developview of know locations of eelgrass These maps are provided as an over-

Maine Dept. of Marine Resources that time funding has been provided to Consulting and UNH by MeDOT, Since provided to Fred Short of Salmon Fall permeter of Penobscot Bay was Original funding for mapping of the vices Center, MeDEP, MeSPO, and th (MeDMR) by the NOAA Coastal Ser-

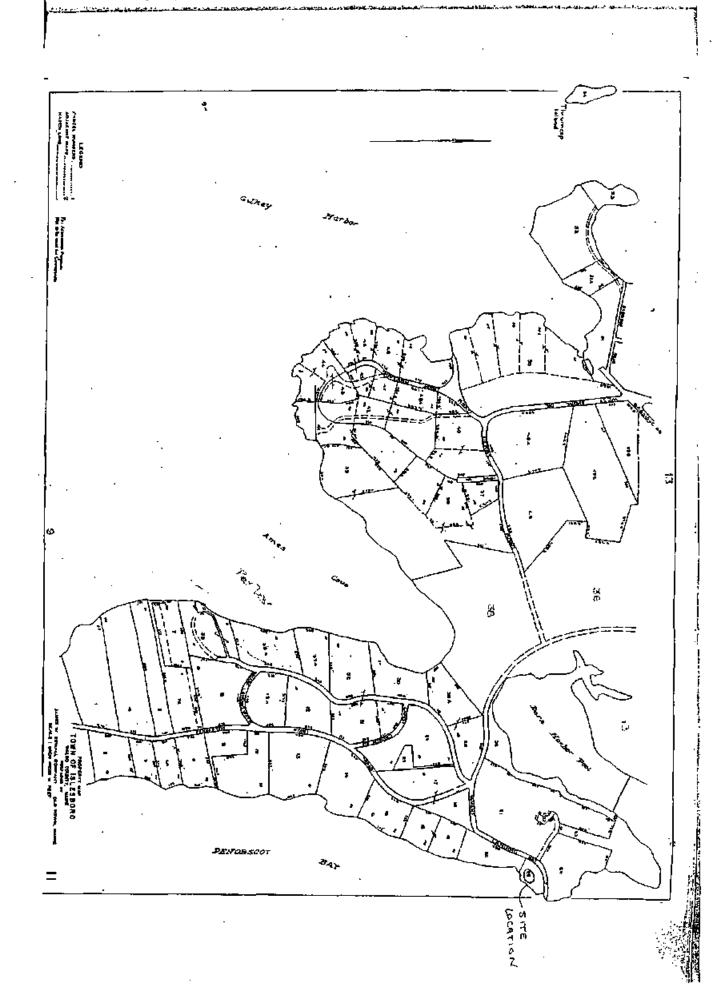
GT 40 to 70 %

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68°40'0"W



# Maine DEP Highest Annual Tide (HAT) Levels for Year 2008 Maine Coast from Eastport to Portsmouth, NH

Location	2008 HAT	HAT (NGVD29)	HAT (NAVD88)	Ref. Station
Britana Cartal Division	(Tide Table)	(elev. feet)	(elev. feet)	
Primary Control Stations Portland	: aa <del>-</del> -			
1 Official	11.7	7.2	6.4	
Bar Harbor	13.3	8.0	7.3	
Eastport	22.0	12.7	12.1	
Secondary Stations				
EASTPORT	22.0	12.7	12.1	Eastport
Cobscook Bay				-
Garnet Point, Pennamquan R.	22.9	13,1	12.5	Eastport
Coffins Point	20.7	12,0	11.4	Eastport
Birch Islands	20.7·	12.0	11.4	Eastport
Cutler, Little River	16,3	9.5	8.9	Eastport
Cutler, Naval Radio Station	15,4	· 8.9	8.3	Eastport
Stone Island, Machies Bay	15.0	8.8	8.1	Eastport
Machiasport, Machias River	15.2	8.9	8.3	Eastport
Shoppee Point, Englishman Bay	14.5	8.6	8.0	Eastport
Steele Harbor Island	14.9	9.0	8.3	Portland
Millbridge, Narraguagus River	14.4	8.8	8.0	Portland
Green Island, Petit Manan Bar	13.6	8.3	7.5	Portland
Prospect Harbor	13.5	8.1	7.4	Portland
Winter Harbor, Frenchman Bay	12.6	7. <del>6</del>	7.4 6.9	Bar Harbor
Mount Desert Island	12.0	7.0	0.9	Dai Haibor
BAR HARBOR	13.3	8.0	7.0	One Dark
Southwest Harbor	12.8		7.3	Bar Harbor
Bass Harbor		7.7	7.0	Bar Harbor
	12.4	7.4	6.7	Bar Harbor
Blue Hill Bay	40.0	7.0	- 4	
Blue Hill Harbor	12.6	7.6	6.9	Bar Harbor
Mackerel Cove	12.5	7.5	6.8	Bar Harbor
Burnt Coat Harbor, Swans Island	11.8	7.1	6.4	Bar Harbor
Penobscot Bay				
Eggemoggin Reach				
Center Harbor	12.6	7.6	6.9	Bar Harbor
Little Deer Isle	12.5	7.5	6.8	Bar Harbor
Isle Au Haut	11.6	` 7.0	6.3	Bar Harbor
Stonington, Deer Isle	12.1	7.3	6.6	Bar Harbor
Matinicus Harbor, Wheaton Island	11.3	6.9	6.2	Bar Harbor
Vinalhaven, Vinalhaven Island	11.6	7.0	6.3	Bar Harbor
North Haven	12.1	7.2	6.5	Bar Harbor
Pulpit Harbor, North Haven Island	12.4	7.5	5.8	Bar Harbor
Castine	12.6	7.6	6.9	Bar Harbor
Penobscot River			ı	
Gross Point, Eastern Channel	13.2	8.0	7.3	Bar Harbor
Bucksport	13.4	8.0	7.3	Bar Harbor
Winterport	14.8	8.9	8.2	Bar Harbor
Sandy Point	13.2	8.0	7.3	Bar Harbor
Bangor	16.6	10.0	9.3	Bar Harbor
Belfast	12.9	7.8	7.1	Bar Harbor
Rockland	12.4	7.5	6.8	Bar Harbor
MAINE, outer coast	· •			

## Maine DEP Highest Annual Tide (HAT) Levels for Year 2008 Maine Coast from Eastport to Portsmouth, NH

Location	2008 HAT	HAT (NGVD29)	HAT (NAVD88)	Ref. Station
Tenants Harbor	11.5	6.9	6.2	Portland
Monhegan Island	11.3	7.0	6.3	Portland
Bumt Island, Georges Islands	11.5	7.1	6.3	Portland
St. George River	. , . •		<b>0, 3</b>	· Ordana
Port Člyde	11.5	7.1	6.3	Portland
Otis Cove	11.7	7.2	6.5	Portland
Thomaston	12.1	7.4	6.7	Portland
New Harbor, Muscongus Bay	11.3	7.0	6.3	Portland
Muscongus Harbor/ Sound	11.6	7.2	6.4	Portland
Friendship Harbor	11.6	7.2	6.4	Portland
Medomak River				
Jones Neck	11.7	7.2	6.5	Portland
Waldoboro	12.2	7.5	6.7	Portland
Pemaguid Harbor, Johns Bay	11.3	7.0	6.3	Portland
Damariscotta River				<u>-</u>
East Boothbay	11.5	7.1	6.3	Portland
Walpole	12.1	7.4	6.7	Portland
Newcastle	11.9	7.3	6.6	Portland
Damariscove Harbor/ (sland	11.3	7.0	6.3	Portland
Boothbay Harbor	11.3	7.0	6.3	Portland
Southport, Townsend Gut	11.5	7.1	6.3	Portland
Sheepscot River				
Isle of Springs	11.5	7.1	6.3	Portland
Cross River entrance	11,7	7.2	6.5	Portland
Wiscasset	12.1	7.4	6.7	Portland
Sheepscot (below rapids)	12.3	7.5	6.7	Portland
Back River	11.7	7.2	6.5	Portland
Robinhood, Sasanoa River	11.3	7.0	6.3	Portland
Mill Point, Sasanoa River	11.3	7.0	6.3	Portland
Kennebec River				
Fort Popham, Hunniwell Point	10.8	6.7	5.9	Portland
Phippsburg	10.3	6.4	5,6	Portland
Bath	8.2	5.2	4.4	Portland
Sturgeon Is., Merrymeeting Bay	6.8	. 4.4	3.6	Portland
Androscoggin River entrance	6.1	4.0	3.2	Portland
Brunswick, Androscoggin River	4.9	3.3	2.6	Portland
Bowdoinham, Cathance River	7.4	,4.7	3.9	Portland
Casco Bay				
Cundy Harbor, New Meadows River	11.5	7.1	6,3	Portland
Howard Point, New Meadows River	11,6	7.2	6.4	Portland
South Harpswell, Potts Harbor	11.5	7.1	6.3	Portland
Wilson Cove, Middle Bay	11.7	7.2	6.5	Portland
South Freeport	11.6	7.2	6.4	Portland
Prince Point	11.7	7.2	6,5	Portland
Doyle Point	11.7	7.2	6.5	Portland
Falmouth Foreside	11.7	7.2	6.4	Portland
Great Chebeague Island	11,7	7.2	6,4	Portland
Cliff Island, Luckse Sound	11.7	7.2	6.5	Portland

## Maine DEP Highest Annual Tide (HAT) Levels for Year 2008 Maine Coast from Eastport to Portsmouth, NH

Location	2008 HAT	HAT (NGVD29)	HAT (NAVD88)	Ref. Station
Vaill Island	11.5	7.1	6.3	Portland
Long Island	11.7	7.2	6,5	Portland
Cow Island	11.7	7.2	6.5	Portland
	11.8	7.2	6.5	Portland
Presumpscot River Bridge Back Cove	11.3	6.8	6.1	Portland
Great Diamond Island	11.7	7.2	6.5	Portland
Peak Island	11.6	7.2	6.4	Portland
Cushing Island	11.6	7.1	6.4	Portland
PORTLAND	11.7	7.2	6.4	Portland
Fore River	12.1	7.5	6.8	Portland
Portland Head Light	11.3	7.0	6.2	Portland
Portland Head Eight	11.3	7.0	0.2	Portiana
MAINE, outer coast				
Old Orchard Beach	11.3	7.0	5.3	Portland
Camp Ellis, Saco River Entrance	11.3	6.9	6.2	Portland
Biddeford, Saco River	11.6	7.1	6.4	Portland
Cape Porpoise	11,1	6.8	6.1	Portland
Kennebunkport	11.3	7.0	6.2	Portland
Wells, Webhannet River	11.2	6.9	6.2	Portland
Cape Neddick	11.1	6,8	6.1	Portland
York Harbor	11.1	6.9	6.2	Portland
Fort Point, York Harbor	11,1	6.8	6.1	Portland
Seapoint, Cutts Island	11.2	6.9	6.2	Portland
MAINE and NEW HAMPSHIRE		,		
Portsmouth Harbor				. 5
Jaffrey Point	11.1	6.8	6.1	Portland
Gerrish Island	11.1	6.8	6.1	Portland
Fort Point	11.2	7.0	6.3	Portland
Kittery Point	11.2	6.9	6.2	Portland
Seavey Island	10.4	6.4	5.7	Portland
Portsmouth	10.1	6.3	5.5	Portland
Piscataqua River	0.0	7 A	5.0	D. alland
Atlantic Heights	9.6	6.0	5.2	Portland
Dover Point	8.2	5.2	4.4	Portland
Dover, Cocheco River	9.0	5.6	4.9	Portland
Salmon Falls River	8.8 .	5.6	4.8	Portland
Squamscott River RR, Bridge	8.8	5.6	4.8	Portland
Gosport Harbor, Isles of Shoals	10.9	6.8	6.0	Portland
Hampton Harbor	10.6	.6.5	5.8	Portland

<u>NOTE:</u> The HAT elevations provided in this table may be used to survey locate the upland edge of coastal wetlands for regulatory purposes, under both the Natural Resources Protection Act and the Mandatory Shoreland Zoning Act. If you have any questions related to this document or the data provided, please contact the Department of Environmental Protection, Division of Land Resource Regulation at 287-3901.

Acknowledgements: Stephen M. Dickson, State Marine Geologist, Maine Geological Survey, was instrumental in providing the data necessary to construct this document. The Department appreciates his significant contributions.

#### Doug Miller

From:

Swan, Brian [Brian.Swan@maine.gov]

Sent:

Wednesday, September 03, 2008 11:49 AM

To:

Doug Miller

Cc: Subject:

Cassida, James RE: Islesboro

Doug,

My initial reaction to your proposal, without having seen the site and not knowing all the details is that the re-use of a few granite blocks from the adjacent subtidal would not cause any significant adverse impacts to habitat or marine organisms. There would be some temporary impacts. It would be preferable if attached marine organisms could be left attached and in tack when moving and restacking the stone to the extent practicable. Use of the stones on the top of the existing pile(s), if suitable, would also probably be less disruptive. Stone crib supports should be constructed in "open" fashion to provide greater attachment surface and interstitial space for marine organisms.

Thanks for checking with us.

#### Brian

From: Doug Miller [mailto:dmiller@gartleydorsky.com]

Sent: Tuesday, September 02, 2008 9:14 AM

To: Swan, Brian Subject: Islesboro

Brian – Internet trouble has delayed the submittal of these pictures/plan.

As we discussed on Friday, the owner would like to re-use a few of the cut granite pieces that sit at/around MLW at the property. I have attached a few pictures, one of the blocks that show at low water and one of the blocks just below the water surface (this one is hard to see). I have also attached a site plan with the proposed location of the pier.

Doug Miller Project Manager Gartley & Dorsky Engineering & Surveying, Inc. PO Box 1031 Camden, ME 04843

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